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14 Attorneys for Plaintiff  
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15  
16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 OAKLAND DIVISION  
19

20 MARVELL SEMICONDUCTOR INC., a  
California corporation,

21 Plaintiff,

22 v.

23 WI-LAN, INC., a Canadian corporation,

24 Defendant.  
25  
26  
27  
28

No. C 07-05626 SI

Action Filed: November 5, 2007

STIPULATION AND [PROPOSED]  
ORDER RE INITIAL CASE  
MANAGEMENT CONFERENCE

1 The initial case management conference in this matter is currently set for May 30, 2008  
 2 at 2:00 p.m. Defendant Wi-LAN, Inc. has filed a motion to dismiss the complaint and that  
 3 motion is set for hearing on June 13, 2008 (the hearing was continued to this date by Wi-  
 4 LAN pursuant to Local Rule 7-7(a)). The parties are currently engaged in settlement  
 5 discussions which may result in the voluntary dismissal of the lawsuit. If the lawsuit is not  
 6 dismissed by Plaintiff Marvell Semiconductor, Inc., then the Court may grant Wi-LAN's  
 7 motion to dismiss. In either event, there would be no need for an initial case management  
 8 conference. To date, the parties have not yet met and conferred pursuant to Rule 26. If the  
 9 case is not dismissed prior to the hearing on the motion to dismiss on June 13, and the Court  
 10 is inclined to deny the motion, then the Court may set a date for an initial case management  
 11 for a date some reasonable time after June 13.

12 FOR THE FOREGOING REASONS, IT IS THEREFORE HEREBY STIPULATED,  
 13 by and between the parties, by and through their respective attorneys of record, that:

14 The initial case management conference in this matter shall be vacated and reset by the  
 15 Court following the hearing on Wi-LAN's motion to dismiss on June 13, 2008.

16  
 17 DATED: May 7, 2008

18 By: \_\_\_\_\_/s/  
 19 JEFFREY E. FAUCETTE

20 Attorneys for Defendant WI-LAN, INC.

21 DATED: May 7, 2008

22  
 23 By: \_\_\_\_\_/s/  
 24 LINDA JEAN THAYER

25 Attorneys for Plaintiff MARVELL  
 26 SEMICONDUCTOR, INC.

**ATTESTATION**

I, Jeffrey E. Faucette, am the ECF User whose identification and password are being used to file this Stipulation And [Proposed] Order Re Initial Case Management Conference. In compliance with General Order 45.X.B, I hereby attest that Linda Jean Thayer has concurred in this filing.

DATED: May 7, 2008

JEFFREY E. FAUCETTE  
SIMONA ALESSANDRA AGNOLUCCI  
HOWARD RICE NEMEROVSKI CANADY  
FALK & RABKIN  
A Professional Corporation

By: \_\_\_\_\_/s/  
JEFFREY E. FAUCETTE

Attorneys for Defendant WI-LAN, INC.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: \_\_\_\_\_.

\_\_\_\_\_  
UNITED STATES DISTRICT COURT JUDGE

HOWARD  
RICE  
NEMEROVSKI  
CANADY  
FALK  
& RABKIN  
A Professional Corporation